

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

COLIN O’KROLEY )  
 )  
 ) NO. 3-13-0780  
 ) JUDGE CAMPBELL  
FASTCASE INC., et al. )


ORDER

Pending before the Court are a Report and Recommendation of the Magistrate Judge (Docket No. 72) and Objections filed by the Plaintiff (Docket No. 75).<sup>1</sup>

Pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b)(3) and Local Rule 72.03(b)(3), the Court has reviewed *de novo* the Report and Recommendation, the Objections, and the file. The Objections of the Plaintiff are overruled, and the Report and Recommendation is adopted and approved. As found by the Magistrate Judge, Plaintiff has failed to obtain proper service of process over Defendants Fastcase, Inc. and Yasni.com in accordance with Fed. R. Civ. P. 4<sup>2</sup> and the Hague Service Convention.

Accordingly, Plaintiff’s claims against the remaining two Defendants are DISMISSED, and the Clerk is directed to close this file. Any other pending Motions, including Plaintiff’s Motion for Appointment of Counsel (Docket No. 76), are denied as moot.

IT IS SO ORDERED.

  
TODD J. CAMPBELL  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Former Defendant Google has filed an Opposition to Plaintiff’s “Objections” (Docket No. 80), even though it has been dismissed from this action.

<sup>2</sup> Plaintiff cites state law for his argument that service is proper upon Defendant Fastcase, Inc.; however, the Federal Rules of Civil Procedure apply, not the state rules.